



Order Filed on August 2, 2022  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE

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Attorneys for Secured Creditor

U.S. Bank N.A., as trustee, on behalf of the holders of  
the J.P. Morgan Mortgage Acquisition Trust 2006-  
CH2 Asset Backed Pass-Through Certificates, Series  
2006-CH2

In Re:

Dean A. Vitale,

Debtor.

Case No.: 22-12769 CMG

Adv. No.:

Hearing Date: 5/25/2022 @10:00 a.m.

Judge: Christine M. Gravelle

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: August 2, 2022**

A handwritten signature in black ink, reading "Christine M. Gravelle", is written over a horizontal line.

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

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Debtor: Dean A. Vitale

Case No.: 22-12769 CMG

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank N.A., as trustee, on behalf of the holders of the J.P. Morgan Mortgage Acquisition Trust 2006-CH2 Asset Backed Pass-Through Certificates, Series 2006-CH2, holder of a mortgage on real property located at 206 Adirondack Avenue, Spotswood, NJ, 08884, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Otto J Kostbar, Esquire, attorney for Debtor, Dean A. Vitale, and for good cause having been shown;

It **ORDERED, ADJUDGED and DECREED** that Debtor shall obtain a loan modification by September 1, 2022, or as may be extended by an application to extend the loss mitigation period; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** the Debtor is to make post-petition payments in accordance with the terms of the loss mitigation order while the loss mitigation period is active; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Trustee is to pay the arrears per the plan while the loan modification is pending; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that the Secured Creditor reserves the right to object to any requests to extend loss mitigation; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** the Secured Creditor does not waive its rights to the pre-petition arrears or the difference between the regular post-petition payment and the loss mitigation payment, or any other post-petition arrears that may accrue; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that if the loan modification is not successful, Debtor shall modify the plan to otherwise address Secured Creditor's claim; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

In re:  
Dean A Vitale, Sr.  
Patricia A Vitale  
Debtors

Case No. 22-12769-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Aug 02, 2022

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 04, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Dean A Vitale, Sr., Patricia A Vitale, 206 Adirondack Ave, Spotswood, NJ 08884-1306

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 04, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 2, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor U.S. Bank N.A. as trustee, on behalf of the holders of the J.P. Morgan Mortgage Acquisition Trust 2006-CH2 Asset Backed Pass-Through Certificates, Series 2006-CH2 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Otto J. Kostbar	on behalf of Joint Debtor Patricia A Vitale ojkostbar@gmail.com
Otto J. Kostbar	on behalf of Debtor Dean A Vitale Sr. ojkostbar@gmail.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

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User: admin

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Date Rcvd: Aug 02, 2022

Form ID: pdf903

Total Noticed: 1

TOTAL: 5